

**General Code**

**Master Ordinance  
Chapters Revised**

| <b>Chapter</b>                     | <b>Disposition</b> |
|------------------------------------|--------------------|
| <b>1 General Penalty</b>           | Amended            |
| <b>8 Court</b>                     | Amended            |
| <b>12 Ethical Standards</b>        | Repeal in entirety |
| <b>16 Board of Health</b>          | Amended            |
| <b>24 Officers &amp; Employees</b> | Amended            |
| <b>70 Returned Checks</b>          | Repeal in entirety |
| <b>81 Curfew</b>                   | Repeal in entirety |
| <b>110 Housing Standards</b>       | Amended            |
| <b>140 Property Maintenance</b>    | Amended            |
| <b>143 Public Property</b>         | Amended            |
| <b>154 Sewer Use</b>               | Amended            |
| <b>185 Vehicles &amp; Traffic</b>  | Amended            |
| <b>188 Vehicles, Motorized</b>     | Amended            |
| <b>197 Water</b>                   | Amended            |
| <b>199 Water Emergencies</b>       | Amended            |

Note: In this ordinance, changes or additions to the original text are indicated by underlining and deletions are indicated by brackets. Such notations will be deleted upon codification.

## Chapter 1

### General Provisions ARTICLE I General Penalty

#### § 1-1. Fine, imprisonment or community service; minimum penalty; continuing violations.

- A. Any person who shall violate any provision of any ordinance of the Borough of Rocky Hill shall be liable for one or more of the following:
- (1) A fine not exceeding ~~\$1,000~~ \$2,000; or
  - (2) Imprisonment for a term not exceeding 90 days; or
  - (3) Community service for a period not exceeding 90 days.
- B. (1) The minimum penalty for such offense shall be a fine which may be fixed in an amount not less than ~~\$25~~ \$100.
- (2) Any owner who violates a housing or zoning code and is fined more than \$1,250 shall have a thirty-day period in which the owner shall be afforded the opportunity to cure or abate the condition and shall also be afforded an opportunity for a hearing before a court of competent jurisdiction for an independent determination concerning the violation. Subsequent to the expiration of the thirty-day period, a fine greater than \$1,250 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.
- C. In a case of a continuing violation, each day that such violation continues shall be deemed a separate offense.

#### § 1-2. Filing of complaints.

Any complaint to impose such penalty may be filed in Municipal Court on behalf of the state by the Borough of Rocky Hill or any interested party, including, in the case for the violation of a provision of the Development Regulations Ordinance, the Zoning Officer.

#### § 1-3. Repeat offenders.

Any person who is convicted of violating any Borough ordinance within one year of the date of a previous violation of the same provision and who was fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or more than the maximum fine fixed for a violation of the provision, but shall be calculated separately from the fine imposed for the violation of the provision.

#### § 1-4. Default of payment of fine.

Any person convicted of violating any Borough ordinance and who is in default of the payment of any fine imposed for the violation may, at the Court's discretion, be imprisoned for a term not exceeding 90 days or be required to perform community service for a period not exceeding 90 days.

## **Chapter 8 COURT, MUNICIPAL**

### **ARTICLE I Establishment**

#### **§ 8-1. Statutory authority.**

A Municipal Court for the Borough of Rocky Hill ~~is~~ was established, as of January 1, 1949, pursuant to the provisions of Chapter 264 of the Laws of 1948, as amended and supplemented. The Municipal Court of the Borough of Rocky Hill is authorized pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., as amended and supplemented.

#### **§ 8-2. Name of Court.**

The name of the Municipal Court shall be the "Municipal Court of the Borough of Rocky Hill."

#### **§ 8-3. Seal.**

The Municipal Court shall have a seal, which seal bears the impress of the name of the Court.

#### **§ 8-4. Municipal Judge.**

There shall be a ~~{Municipal Magistrate}~~ Judge of said Municipal Court, who shall be appointed by the Mayor with advice and consent of Council and who shall serve for a term of three years from the date of his appointment and until his successor is appointed and qualified.

#### **§ 8-5. Salary of Judge.**

~~[The Municipal Magistrate shall receive an annual salary of \$100 to be paid in the same manner as the salaries of other municipal officers are paid, and which shall be in lieu of all fees, costs, and any other allowances whatsoever.]~~ The compensation of the Judge shall be fixed from time to time by ordinance or resolution of the Borough Council.

#### **§ 8-6. Powers, duties and jurisdiction; Holding of Court.**

The Municipal Court and the ~~{Municipal Magistrate}~~ Judge thereof shall have, possess and exercise all the functions, powers, duties, and jurisdiction conferred by the provisions of ~~{Chapter 264 of the Laws of 1948}~~ N.J.S.A. 2B:12-1 et seq., as amended and supplemented, or by any other law. The Court shall be held as the business of the Court may require, subject to the rules applicable to Municipal Courts.

### **ARTICLE II Prosecutor**

#### **§ 8-7. Offices established.**

There is hereby created and established the office of Borough Prosecutor. There is also hereby created and established the office of Alternate Borough Prosecutor.

#### **§ 8-8. Qualifications.**

The Borough Prosecutor and Alternate Borough Prosecutor shall be ~~an~~ attorneys at law admitted to

practice in the State of New Jersey and shall be a members in good standing of the Bar of the State New Jersey.

**§ 8-9. Appointment; filling of vacancy.**

The Mayor shall nominate and, with the advice and consent of the Council, appoint a Borough Prosecutor and an Alternate Borough Prosecutor, including the filling of vacancy in such offices, which shall be for the expired term only.

**§ 8-10. Term of office.**

The term of office of the Borough Prosecutor and Alternate Borough Prosecutor shall be for ~~[three years]~~ one year, commencing on January 1 of the year of appointment and terminating on December 31 of the ~~[third]~~ same year and until a successor shall have been appointed and qualified.

**§ 8-11. Prosecutorial duties.**

The duties of the Borough Prosecutor and Alternate Borough Prosecutor shall be to prosecute cases to be tried before Municipal Court alleging violations of criminal laws of the State of New Jersey, the ordinances of the Borough, the motor vehicle statutes of the State of New Jersey and such other cases as may be designated by the appropriate authority as within the jurisdiction of the Municipal Court and as provided in N.J.S.A. 2B:25-5. ~~The Borough Prosecutor shall also appear before the Borough Council upon its request to prosecute any matters which may be within its jurisdiction.~~

**§ 8-12. Compensation.**

The compensation of the Borough Prosecutor and Alternate Borough Prosecutor shall be fixed from time to time by ordinance ~~[and]~~ or resolution of the Borough Council.

**§ 8-13. Copy of article.**

A copy of this article shall be forwarded after final adoption to the office of the Administrative Director of the Courts of the State of New Jersey.

**ARTICLE III  
Public Defender**

**§ 8-14. Office established.**

There is hereby created and established the office of Borough Public Defender.

**§ 8-15. Qualifications.**

The Borough Public Defender shall be an attorney at law admitted to practice in the State of New Jersey and shall be a member in good standing of the Bar of the State New Jersey.

**§ 8-16. Appointment; filling of vacancy.**

The Mayor shall nominate and, with the advice and consent of the Council, appoint a Borough Public Defender, including the filling of vacancy in such office, which shall be for the expired term only.

**§ 8-17. Term of office.**

The term of office of the Borough Public Defender shall be for ~~{three years}~~ one year, commencing on January 1 of the year of appointment and terminating on December 31 of the ~~{third}~~ same year and until a successor shall have been appointed and qualified.

**§ 8-18. Duties.**

The duties of the Borough Public Defender shall be to provide legal representation to defendants appearing before the Municipal Court of the Borough of Rocky Hill in accordance with N.J.S.A. 2B:24-6 ~~2A:158A-1 et seq.~~

**§ 8-19. Compensation.**

The compensation of the Borough Public Defender shall be fixed from time to time by ordinance ~~{and}~~ or resolution of the Borough Council.

**§ 8-20. Application fee; waiver of fee.**

A person applying for representation by the Borough Public Defender shall pay an application fee of \$200. The Municipal Court may waive the fee, in whole or in part, if the Court determines, in its discretion, that the application fee represents an unreasonable burden on the person seeking representation. The Municipal Court may permit a person to pay the application fee over a specified period of time, not to exceed four months.

**§ 8-21. Copy of article.**

A copy of this article shall be forwarded after final adoption to the office of the Administrative Director of the Courts of the State of New Jersey.

**ARTICLE IV**  
**Court Administrator**

**§ 8-22. Office established.**

There is hereby created and established the office of the Court Administrator.

**§ 8-23. Qualifications.**

The Court Administrator must meet all eligibility requirements set forth in the provisions of N.J.S.A. 2B:12-11, as amended and supplemented by any other law.

**§ 8-24. Appointment: filling of vacancy.**

The Mayor shall nominate, and with the advice and consent of the Council, appoint the Court Administrator, including the filling of vacancy in such office, which shall be for the expired term only.

**§ 8-25. Term of office.**

The term of office of the Court Administrator shall be for one year, commencing on January 1 of the year of appointment and terminating on December 31 of the same year and until a successor shall have been appointed and qualified. Pursuant to N.J.S.A. 2A:8-13.1, any person holding office, position or employment as administrator of the municipal court in any borough who has held such office, position or employment continuously for five years or more and who has become certified during that period shall hold and continue to hold said office, position or employment during good behavior and shall not be removed therefrom for political or other reasons except for good cause, upon written charges and after a public, fair and impartial hearing.

**§ 8-26. Powers.**

The Court Administrator shall have the powers specified by N.J.S.A. 2B:12-13, as amended and supplemented.

**§ 8-27. Compensation.**

The compensation of the Court Administrator shall be fixed from time to time by ordinance or resolution of the Borough Council.

**§ 8-28. Bond or Insurance.**

Pursuant to N. J. S. A. 2B:12-12, the Court Administrator or a person employed by the court who handles money in the scope of that employment, shall be covered by a bond or insurance against loss or misappropriation of funds payable to the Borough, County, and State, in an amount and with terms set by the Borough.

**§ 8-29. Deputy Court Administrator.**

A. There is hereby created the position of Deputy Court Administrator.

B. The Deputy Court Administrator must meet all eligibility requirements set forth in the provisions of N.J.S.A. 2B:12-11, as amended and supplemented by any other law.

C. The Mayor shall nominate, and with the advice and consent of the Council, appoint the Deputy Court Administrator, including the filling of vacancy in such office, which shall be for the expired term only.

D. The term of office of the Deputy Court Administrator shall be for one year, commencing on January 1 of the year of appointment and terminating on December 31 of the same year and until a successor shall have been appointed and qualified.

E. The duties of the Deputy Court Administrator shall be to assist the Court Administrator in performing the functions of the office.

F. The compensation of the Deputy Court Administrator shall be fixed from time to time by ordinance or resolution of the Borough Council.

**Chapter 12**

**ETHICS, CODE OF**

**Repeal Chapter in entirety**

## **Chapter 16**

### **HEALTH, BOARD OF**

#### **§ 16-1. Establishment; statutory authority.**

There shall be in and for the Borough of Rocky Hill a Board of Health, in accordance with the provisions of the act of the Legislature of New Jersey, entitled "An Act to Establish in this State Boards of Health and a Bureau of Vital Statistics, and to Define Their Respective Powers and Duties," approved March 31, 1887, and the several supplements thereto, codified at N.J.S.A. 26:3-1 et seq.

#### **§ 16-2. Membership; terms of office; vacancies.**

The Board of Health shall consist of five members. ~~and Wm. N. Stults, C.R. Baldwin, R. W. Avery, A. E. Haynes and M. Reeve are hereby appointed to constitute the said Board of Health. Wm. N. Stults shall hold the said office for one year; A. E. Haynes and M. Reeve shall hold said office for two years; C. R. Baldwin and R. W. Avery shall hold said office for three years.~~ All members of said Board ~~hereafter appointed~~ shall be appointed by the Council and shall hold said office for the term of three years, except in the case of vacancies; vacancies shall be filled for the unexpired term. The terms shall be so arranged that the terms of not more than two members shall expire in any one year.

#### **§ 16-3. Rules and regulations.**

Said Board of Health shall adopt rules and regulations for its own government and shall elect a President from among its own members.

#### **§ 16-4. Officers and assistants.**

Said Board of Health shall appoint a Registrar of Vital Statistics, ~~Clerk and Sanitary Inspector~~ Health Officer, and may also appoint such other officers or assistants as the Board of Health may deem necessary. All appointees of said Board of Health shall be governed by the rules of said Board, and they may be removed for cause by said Board. The ~~marshals~~ constables of said Borough, when on ~~police~~ duty to said Board of Health, shall be Special Sanitary Inspectors, and they shall promptly report to the Board of Health every violation of the health ordinances of the Borough which may come within their observation or knowledge.

The compensation of all officers, assistants, and contract service providers of the Board shall be fixed from time to time by ordinance or resolution of the Borough Council.

#### **§ 16-5. Contracting of debt restricted.**

Said Board of Health shall not contract any debt or debts of any kind beyond the amount of the appropriation made for its use by this Council.



**Chapter 24**  
**OFFICERS AND EMPLOYEES**

**ARTICLE I**  
**Tax Collector**

**§ 24-1. Appointment.**

The Mayor shall nominate and, with the advice and consent of the Council, shall appoint the Tax Collector.

**§ 24-1.1. Term; Tenure.**

Pursuant to N.J.S.A. 40A:9-142, the Tax Collector shall hold office for a term of 4 years from the first day of January next following the appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term. Any person who has held the office of Tax Collector in the Borough for a continuous period of not less than five years or reappointed to said office upon completion of one full term of four years shall thereafter continue to hold such office during good behavior and shall not be removed therefrom except for good cause shown after a fair and impartial hearing, notwithstanding that said person was appointed or elected for a fixed term.

**§ 24-1.2. Qualifications.**

The Tax Collector must meet all qualifications set forth in N.J.S.A. 40A:9-145.2 et seq.

**§ 24-1.3. Compensation.**

The compensation of the Tax Collector shall be fixed from time to time by ordinance or resolution of the Borough Council.

**§ 24-1.4. Duties.**

- A. Billing: The Tax Collector is responsible for ascertaining the amount of taxes dues from each taxpayer and for informing the taxpayer of such obligation.
- B. Cashiering: Upon notification of taxes due, the Tax Collector is responsible to receive payments and account for them.
- C. Reporting: The Tax Collector is responsible for periodically reporting activities to the Mayor and Borough Council.
- D. Enforcement: The Tax Collector is responsible for initiating and carrying out various procedures for enforcing the timely payment of taxes by the taxpayers.

**§ 24-1.5. Bond; default.**

The Tax Collector shall, before entering upon the duties of his office, give bond to the Borough in ~~its~~ corporate name in the sum of \$1,500, and with such sureties as the Council may approve, conditioned for

~~the faithful performance of the duties of his office. He shall renew his bond annually, and in default thereof the office shall be deemed vacant.]~~ accordance with the provisions of N.J.S.A. 40A:5-34.

## ARTICLE II ~~[Marshals]~~ Constables

### **§ 24-2. Appointment.**

The Mayor of the Borough of Rocky Hill with the advice and consent of the Council of the Borough of Rocky Hill shall appoint ~~[one]~~ two or more ~~[Marshals]~~ Constables by and for the Borough of Rocky Hill in accord with N.J.S.A. ~~[40:87-15]~~ 40A:9-120. To be eligible the persons to be appointed Constables shall be residents and qualified voters of the Borough for at least 3 years prior to their appointment. Constables may exercise their functions and perform their duties anywhere in the county wherein the appointing municipality is located.

#### **§ 24-2.1. Term.**

Pursuant to N.J.S.A. 40A:9-121, every Constable shall qualify within 30 days of the appointment and shall hold office for a term of 3 years unless the Borough Council by its resolution of appointment shall fix a one-year term.

#### **§ 24-2.2. Bond.**

Pursuant to N.J.S.A. 40A:9-125, every person appointed as a constable, before entering upon the execution of the office, shall give bond in such form and amount as the Borough Council shall prescribe with sufficient surety to be approved by the Borough Council.

### **§ 24-3. Duties.**

Such ~~[Marshals]~~ Constables shall perform such duties as may be provided or required by the laws of the State of New Jersey and by the ordinances of the Council of the Borough of Rocky Hill.

### **§ 24-4. Compensation.**

Such ~~[Marshals]~~ Constables shall be compensated for their duties in such manner and at such rates of compensation as shall be determined by the Mayor and Council of the Borough of Rocky Hill.

#### **§ 24-4.1. Badges.**

The Borough shall supply each constable with a badge suitably inscribed, to be returned at the expiration of the Constable's term.

## ARTICLE III Chief Financial Officer

### **§ 24-5. Creation of position; statutory authority.**

There is hereby created, pursuant to the Municipal Finance Officers Certification Act (P.L. 1988, c. 110) the position of Chief Financial Officer for the Borough of Rocky Hill, Somerset County, New Jersey.

#### **§ 24-5.1. Appointment.**

The Mayor shall nominate and, with the advice and consent of the Council, shall appoint a Chief Financial Officer.

#### **§ 24-5.2. Term; Tenure.**

A. Pursuant to N.J.S.A. 40A:9-140.10, the term of the Chief Financial Officer shall be four years, which shall run from January 1 in the year in which the Chief Financial Officer is appointed. Any person who has served as Chief Financial Officer of the Borough for four consecutive years and who is reappointed as the Borough's Chief Financial Officer shall be granted tenure of office upon filing with the Borough Clerk and with the Division of Local Government in the Department of Community Affairs a notification evidencing his compliance with section N.J.S.A. 40A:9-140.8.

B. Thereafter, the person shall continue to hold office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after a public hearing upon a written complaint setting forth the charge or charges against him pursuant to section 3 of P.L.1977, c.39 (C.40A:9-140.9) or upon expiration or revocation of certification by the director pursuant to section 7 of P.L.1988, c.110 (C.40A:9-140.12).

#### **§ 24-6. Eligibility requirements.**

Any person appointed as Chief Financial Officer for the Borough must meet all eligibility requirements set forth in the said Municipal Finance Officers Certification Act, ~~which are incorporated by reference herein.~~

#### **§ 24-7. Duties.**

The duties of the Chief Financial Officer shall be to carry out the duties of fiscal administration for the Borough as set forth in N.J.S.A. ~~{52:27BB-26}~~ 40A:9-140.1 et seq.

#### **§ 24-8. Compensation.**

- ~~A.~~ The salary, wage or other compensation to be paid to the Chief Financial Officer of the Borough of Rocky Hill shall be fixed and determined from time to time by ordinance or resolution of the Borough Council. ~~at an amount or rate of not more than \$4,000.~~
- ~~B.~~ ~~The Council shall, forthwith after the adoption of this article, adopt a resolution fixing and determining the specific wage, salary or compensation to be paid to the Chief Financial Officer (not exceeding the maximum amount and rates shown above) which shall be effective as of, and from and after January 1, 1989, and shall continue in effect until revised, within the maximum amounts or rates, by further resolution of the Council.~~
- ~~C.~~ ~~There is hereby reserved to the Council of the Borough of Rocky Hill, in the County of Somerset, the authority, by resolution, to either increase or decrease, within maximum amount or rate fixed in Subsection A of this section, any salary, wage or compensation.~~

- ~~D. The Council may also, by resolution, fix and determine from time to time the times at which and the installments in which or periods of times for which any salary, wage or compensation of the Financial Officer shall be paid.]~~

### **ARTICLE III A** **Treasurer**

#### **§ 24-8.1. Office Established.**

There is hereby created and established the office of Treasurer.

#### **§ 24-8.2. Bond.**

The Treasurer, before entering upon the duties of his office, shall give bond to the Borough in accordance with the provisions of N.J.S.A. 40A:5-34.

#### **§ 24-8.3. Appointment; filling of vacancy.**

The Mayor shall nominate and, with the advice and consent of the Council, appoint the Treasurer, including the filling of vacancy in such office, which shall be for the expired term only.

#### **§ 24-8.4. Term of office; Tenure.**

The term of office of the Treasurer shall be for one year, commencing on January 1 of the year of appointment and terminating on December 31 of the same year, and until a successor shall have been appointed and qualified. Whenever a person has or shall have held the office of municipal treasurer for 10 consecutive years, the governing body of the municipality may grant tenure in office to such person.

#### **§ 24-8.5. Duties.**

The duties of the Treasurer shall be to keep and maintain books and records of all financial transactions of the Borough in accordance with the standards and requirements of the State Division of Local Government. The Treasurer shall have custody of all public moneys of the Borough and shall make monthly reports of all receipts, expenditures, commitments and unencumbered appropriation balances

#### **§ 24-8.6. Compensation.**

The compensation of the Treasurer shall be fixed from time to time by ordinance or resolution of the Borough Council.

### **ARTICLE III B** **Borough Clerk**

#### **§ 24-8.7. Office Established.**

There is hereby created and established the office of Borough Clerk.

#### **§ 24-8.8. Bond.**

The Borough Clerk shall, before entering upon the duties of the office, give bond to the Borough in accordance with the provisions of N.J.S.A. 40A:5-34.

**§ 24-8.9. Qualifications.**

The Clerk must meet all eligibility requirements set forth in N.J.S.A. 40A:9-133 et seq.

**§ 24-8.10. Appointment; filling of vacancy.**

The Mayor shall nominate and, with the advice and consent of the Council, appoint the Clerk, including the filling of vacancy in such office, which shall be for the expired term only.

**§ 24-8.11. Term of office; Tenure.**

The term of office of the Clerk shall be for three years, commencing on January 1 of the year of appointment and terminating on December 31 of the third year, and until a successor shall have been appointed and qualified. The Clerk shall have tenure upon completion of three consecutive years and at subsequent reappointment.

**§ 24-8.12. Duties.**

The duties of the Clerk shall be as provided for in N.J.S.A. 40A:9-133.

**§ 24-8.13. Compensation.**

The compensation of the Borough Clerk shall be fixed from time to time by ordinance or resolution of the Borough Council.

**§ 24-8.14. Deputy Borough Clerk.**

A. There is hereby created the position of Deputy Borough Clerk.

B. The Deputy Borough Clerk must meet all eligibility requirements set forth in N.J.S.A. 40A:9-133 et seq. for a Deputy Borough Clerk

C. The Mayor shall nominate and, with the advice and consent of the Council, appoint the Deputy Borough Clerk, including the filling of vacancy in such office, which shall be for the expired term only.

D. The term of office of the Deputy Borough Clerk shall be for one year, commencing on January 1 of the year of appointment and terminating on December 31 of the same year, and until a successor shall have been appointed and qualified.

E. The duties of the Deputy Borough Clerk shall be to assist the Borough Clerk in performing the functions of the office.

F. The compensation of the Deputy Borough Clerk shall be fixed from time to time by ordinance or resolution of the Borough Council.

**ARTICLE III C**  
**Municipal Attorney/Borough Attorney**

**§ 24-8.15. Office Established.**

Pursuant to N.J.S.A.40A:9-139, there is hereby created and established the office of Municipal Attorney, also known as “Borough Attorney”.

**§ 24-8.16.Appointment; filling of vacancy.**

The Mayor shall nominate, and the advice and consent of the Council, appoint the Municipal Attorney, also known as “Borough Attorney,” who shall be licensed to practice law in the State of New Jersey, including the filling of vacancy in such office, which shall be for the expired term only.

**§ 24-8.17. Term of office.**

The term of office of the Municipal Attorney shall be for one year, commencing on January 1 of the year of appointment and terminating on December 31 of the same year.

**§ 24-8.18. Duties.**

The duties of the Municipal Attorney shall serve as legal advisor to the Mayor and Council; represent the Borough in all legal matters; advise and assist the Mayor and Council as required in the administration of the Borough government; represent the Borough in all litigation, arbitration, administrative hearings and appeals and other such proceedings; attend Council meetings; draft and review ordinances and resolutions and such other legal instruments as relate to the business of the Borough; give opinions and rulings on questions of law and render such other professional legal services as may be required by statute or as requested by the Mayor and Council from time to time, whether by ordinance, resolution or otherwise.

**§ 24-8.19. Compensation.**

The compensation of the Municipal Attorney shall be fixed from time to time by ordinance or resolution of the Borough Council.

**ARTICLE III D**  
**Borough Engineer**

**§ 24-8.20. Office Established.**

Pursuant to N.J.S.A. 40A:9-140, there is hereby created and established the office of Borough Engineer.

**§ 24-8.21. Qualifications.**

The Borough Engineer shall be a licensed engineer in the State of New Jersey.

**§ 24-8.22. Appointment; filling of vacancy.**

The Mayor shall nominate and, with the advice and consent of the Council, appoint the Borough Engineer, including the filling of vacancy in such office, which shall be for the expired term only.

**§ 24-8.23. Term of office.**

Pursuant to N.J.S.A.40A:9-140, the term of office of the Borough Engineer shall be for three years, commencing on January 1 of the year of appointment and terminating on December 31 of the third year, and until a successor shall have been appointed and qualified.

**§ 24-8.24. Duties.**

The Borough Engineer shall advise the Mayor, Council, and Borough officials on all engineering matters referred and shall perform such duties as are provided by law or ordinance, and in addition hereto, such other duties as from time to time may be imposed by the Council, the Mayor, or the Zoning Officer. The Borough Engineer shall, monthly or as required by the Council, make reports regarding public improvements, repairs of streets, bridges and sidewalks, or such other work as the Council may request, and shall make such suggestions to the Council, regarding the same, as shall in the Engineer's judgment seem best and proper.

**§ 24-8.25. Compensation.**

The compensation of the Borough Engineer shall be fixed from time to time by ordinance or resolution of the Borough Council.

**§ 24-8.26. Maps, plats, and records.**

The Borough Engineer shall keep accurate maps, plats and records of all public works, lands or property owned by the Borough of Rocky Hill. Such records are the property of the Borough of Rocky Hill.

**§ 24-8.27. Consulting Engineers.**

Nothing in this Article shall be deemed to prohibit the Council from entering into a contract with a consulting engineer or consulting engineers, in the manner provided by professional services law for any engineering work. In the event that the Borough appoints a consulting engineer to act as the Borough Engineer, the term of office shall be for one year, commencing January 1 of the year of appointment and terminating on December 31 of the same year and until a successor shall have been appointed and qualified.

**ARTICLE III E**  
**Financial/Administrative Assistant**

**§ 24-8.28. Position Established.**

There is hereby created and established the position of Financial/Administrative Assistant.

**§ 24-8.29. Appointment; duties.**

The Mayor shall nominate and, with the advice and consent of the Borough Council, appoint a Financial/Administrative Assistant who shall perform such duties as are directed by the Mayor, the Borough Clerk, and the Chief Financial Officer.

**§ 24-8.30. Compensation.**

The compensation of the Financial/Administrative Assistant shall be fixed from time to time by ordinance

or resolution of the Borough Council.



**Chapter 70:  
CHECKS, RETURNED**

**REPEAL CHAPTER IN ENTIRETY**

**Chapter 81**  
**CURFEW**

**REPEAL CHAPTER IN ENTIRETY**

## Chapter 110: HOUSING STANDARDS

### § 110-1. Designated officer.

The Health Officer of the Board of Health be and he is hereby designated as the officer to exercise the powers prescribed by this chapter, and he shall serve in such capacity without any additional salary.

### § 110-2. Amendments to Housing Code.

Pursuant to the provisions of P.L. 1966, c. 168 (N.J.S.A. 2A:42-74 et seq.)~~[Chapter 21 of the Laws of 1946 (N.J.S.A. 40:49-5.1)]~~, the New Jersey State Housing Code, as approved by the Department of Community Affairs ~~[Departments of Health and Conservation and Economic Development]~~ and promulgated at N.J.A.C. 5:28-1.1 et seq. ~~[filed in the Secretary of State's office]~~ is hereby accepted, adopted and established as a standard to be used as a guide in determining whether dwellings in this municipality are safe, sanitary and fit for human habitation and rental except for the following sections of the New Jersey State Housing Code ~~which are amended~~ is modified as to its application in the Borough of Rocky Hill as follows:

A. ~~Section 9-1~~ N.J.A.C. 5:28-1.9 (a) of the New Jersey State Housing Code is ~~hereby amended to read~~ modified as to its application in the Borough of Rocky Hill as follows:

~~"9-1~~ N.J.A.C. 5:28-1.9 (a) Every dwelling, dwelling unit, or lodging unit shall have safe and unobstructed means of egress. Such means of egress shall not be through any other dwelling unit or part thereof except a ground floor living room which also serves as a stair hall and shall lead to a safe and open space at ground level accessible to a street."

B. ~~Section 10.5 is hereby amended to read as follows:~~

~~"10.5 Every floor and every basement or internal wall of a dwelling shall be free of chronic dampness below ground level."~~

B. C. ~~Section 10.6~~ N.J.A.C. 5:28-1.10 (f) is ~~hereby amended to read~~ modified as to its application in the Borough of Rocky Hill as follows:

~~"10.6:~~ N.J.A.C. 5:28-1.10 (f) Every dwelling shall be free from rodents, vermin and insects. Rodent or vermin extermination and rodent proofing and vermin proofing may be required by the Board of Health. Rodent and vermin extermination shall be carried out in accordance with ~~Subsection 12-11~~ N.J.A.C. 5:28-1.12 (k) ~~of this code~~ Every openable window, exterior door, skylight, and other opening to the outdoors shall be supplied with properly fitting screens in good repair from May 1<sup>st</sup> until October 1<sup>st</sup> of each year. Such screens shall have a mesh of not less than No. 16. Exceptions: Screens shall not be required where other approved means, such as air conditioning, air curtains, or insect repellent fans, are employed."

D. ~~Section 10.7 is hereby amended to read as follows:~~

~~"10.7. Every building, dwelling, dwelling unit and all other areas of the premises shall be clean and free from garbage or rubbish and hazards to safety. Lawns, hedges and bushes shall be kept trimmed and shall not be permitted to become overgrown. Fences shall be kept in good repair."~~

E. ~~Section 10.8 is hereby amended to read as follows:~~

~~"10.8. The Public Officer may order the owner to clean, repair, paint, whitewash, or paper such walls or ceilings, when a wall or ceiling within a dwelling has deteriorated so as to provide a harborage for rodents or vermin, or when such a deteriorated wall or ceiling has become stained or soiled, or the plaster, wallboard, or other covering has become loose."~~

C.F. ~~Section 11.2~~ N.J.A.C 5:28-1.11 (b) is hereby amended to read modified as to its application in the Borough of Rocky Hill as follows:

~~"11.2. N.J.A.C 5:28-1.11 (b)~~ In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof. Notwithstanding the foregoing, in every lodging unit every room occupied for sleeping purposes by more than one occupant shall contain at least 60 square feet of floor space for each occupant thereof."

D.G. ~~Section 11.3~~ N.J.A.C 5:28-1.11 (c) is hereby amended to read modified as to its application in the Borough of Rocky Hill as follows:

~~"11.3. N.J.A.C 5:28-1.11 (c)~~ At least 1/2 of the floor area of every habitable room shall have a ceiling height of at least seven feet. The floor area of any part of any room where the ceiling is less than five feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof. In any habitable room existing at the time that this code is adopted and becomes effective, the floor space of at least 1/2 of the habitable room shall have a ceiling height of at least six feet and any portion of the floor space for which the ceiling height is less than six feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof."

H. ~~Section 12.14~~ is hereby amended to read as follows:

~~Every owner of a dwelling, who permits to be occupied and dwelling unit or lodging unit therein under any agreement, expressed or implied, to supply or furnish heat to the occupants thereof, shall supply heat adequate to maintain therein a minimum inside temperature of 70 degrees in all habitable rooms, bathrooms, and water closet compartments of between the hours of 6:00 a.m. and 11:00 p.m. throughout the year and 60 degrees between the hours of 11:00 p.m. and 6:00 a.m., throughout the year.~~

### **§ 110-3. Copies on file.**

A copy of the New Jersey State Housing Code is promulgated at N.J.A.C. 5:28-1.1 et seq. ~~[annexed to this ordinance and three copies of the same have been placed on file in the office of the Borough Clerk and are available to all persons desiring to use and examine the same.]~~

### **§ 110-4. Inspections; access to dwelling for inspection and repairs.**

- A. The Health Officer is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the Borough of Rocky Hill in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and of the general public.
- B. For the purpose of making such inspections the Health Officer is hereby authorized to enter upon premises in such manner as to cause the least possible inconvenience to the persons in possession thereof. The owner or occupant of every dwelling, dwelling unit, and rooming unit, or the person in charge thereof, shall give the Health Officer free access to such dwelling, dwelling unit or

rooming unit and its premises at all reasonable times for the purpose of such inspection, examination and survey.

- C. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this ordinance or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this ordinance.

#### **§ 110-5. Notice of violation.**

Whenever the Health Officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, or of any rule or regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefor as hereinafter provided. Such notice shall be put in writing, include a statement of the reasons why it is being issued, allow a reasonable time for the performance of any act it requires, and be served upon the owner or his agent, or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally; or if a copy thereof is sent by registered mail to his last known address; or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of this state. Such notice may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted pursuant thereto.

#### **§ 110-6. Request for hearing; time limit for filing of petition.**

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Board of Health, provided that such person shall file in the office of the Board of Health a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within 10 days after the day the notice was served.

#### **§ 110-7. Notice of hearing.**

Upon receipt of such petition the Board of Health shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 10 days after the day on which the petition was filed, provided that upon application of the petitioner the Board of Health may postpone the date of the hearing for a reasonable time beyond such ten-day period, if in his judgment the petitioner has submitted a good and sufficient reason for such postponement.

#### **§ 110-8. Issuance of order; emergencies.**

- A. After such hearing the Board of Health shall sustain, modify, or withdraw the notice, depending upon his findings as to whether the provisions of this chapter and of the rules and regulations adopted pursuant thereto have been complied with. If the Board of Health sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to this chapter shall automatically become an order if a written petition for a hearing is not filed in the office of the Board of Health within 10 days after such notice is served.

- B. The proceedings at such hearing, including the findings and decision of the Board of Health shall be summarized, reduced to writing, and entered as a matter of public record in the office of the Board of Health. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Board of Health may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of the state.
- C. Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health, or safety, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency.
- D. Notwithstanding the other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Board of Health shall be afforded a hearing as soon as possible. After such hearing, depending upon his findings as to whether the provisions of this chapter and of the rules and regulations adopted pursuant thereto have been complied with, the Board of Health shall continue such order in effect, or modify it, or revoke it.

#### **§ 110-9. Rules and regulations.**

The Health Officer is hereby authorized and empowered to make and adopt such written rules and regulations as he may deem necessary for the proper enforcement of the provisions of this chapter; provided, however, that such rules and regulations shall not be in conflict with the provisions of this chapter, nor in anywise alter, amend or supersede any of the provisions thereof. The Health Officer shall file a certified copy of all rules and regulations which he may adopt in his office and in the office of the Clerk of the Borough of Rocky Hill.

#### **§ 110-10. Occupancy after issuance of order; temporary permit.**

No person shall occupy as owner occupant or rent to another for occupancy any dwelling or dwelling unit for the purpose of living therein after having been served with an order issued pursuant to § 110-8 of this chapter relating to such dwelling or dwelling unit and after failure of compliance of such an order, but this section shall not apply to rental or occupancy under a temporary permit issued by a health officer, authorizing rental or occupancy for a specified period for the making of repairs, alterations, and improvements required by such order.

#### **§ 110-11. Violations and penalties.**

Any person, firm or corporation who shall violate any of the provisions of this chapter shall upon conviction, be punished as provided in Chapter 1, General Provisions, Article I, General Penalty, herein, ~~[by a fine of not to exceed \$200 or by imprisonment in the county jail for a period of not to exceed 90 days or by both such fine and imprisonment,]~~ and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

## Chapter 140: PROPERTY MAINTENANCE

### § 140-1. Adoption of standards by reference.

A certain document, three copies of which are on file in the office of the Clerk of the Borough of Rocky Hill, Somerset County, New Jersey, being marked and designated as the "Basic Property Maintenance Code, First Edition, 1978," as published by Building Officials and Code Administrators (BOCA) International, Inc., be and The "2006 International Property Maintenance Code," as published by the International Code Council (ICC) is hereby adopted as the Property Maintenance Code of the Borough of Rocky Hill, County of Somerset, in the State of New Jersey, for the control of buildings and structures as herein provided.; and each and all of the regulations of the 2006 International Property Maintenance Code ~~Basic Property Maintenance Code, First Edition, 1978,~~ are hereby referred to, adopted, and made a part thereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, described in § 140-2 of this chapter.

### § 140-2. Amendments.

The following sections of the aforesaid ICC BOCA code are hereby ~~revised or changed~~ modified as to its application in the Borough of Rocky Hill as follows:

- A. ~~PM-100.1~~ Section 101.1 Title: These regulations shall be known as the Property Maintenance Code of the Borough of Rocky Hill, hereinafter referred to as the property maintenance or "this code."
- B. ~~PM-109.2~~ Section 104.1 General. The code official shall enforce the provisions of this code. The Borough of Rocky Hill designates the Zoning Officer as the primary code official for enforcement of this chapter. If required, the Mayor, with the advice and consent of the Borough Council, may designate an additional code official or officials through appointment or contractual services agreement.
- C. Section 106.4 Violation penalties. Any person who violates any provision of this chapter shall, upon conviction, be punished as provided in Chapter 1, General Provisions, Article I, General Penalty, herein. Each day that a violation continues after due notice has been served shall be deemed a separate offense. ~~Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$50, nor more than \$500, or imprisonment for a term not to exceed 30 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.~~
- D. ~~PM-111.4~~ Demolition Section 110.2 Notices and orders. All notices and orders shall comply with Section 107. Anyone affected by any such order shall within 10 days after service of such order apply to a court of record for an order restraining the Code Official from razing and removing such structure or parts thereof. The court shall determine whether the order of the Code Official is reasonable, and if found reasonable, the court shall continue the restraining order or modify it as the circumstances may require.
- E. Section 302.4 Weeds. Insert: 15 inches.
- F. Section 304.14 Insect Screens. Insert: May 1<sup>st</sup> and October 1<sup>st</sup>

**G. Section 602.3 Heat Supply. Insert: October 1<sup>st</sup> and May 1<sup>st</sup>**

**H. Section 602.4 Occupiable work spaces. Insert: October 1<sup>st</sup> and May 1<sup>st</sup>**

**§ 140-3. Affect on pending suits and proceedings.**

Nothing in this chapter or in the ~~Basic~~ Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding ~~impending~~ pending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in § 140-2 of this chapter, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.



**Chapter 143:  
PUBLIC PROPERTY**

**§ 143-1. Permission to use land required.**

Dumping ~~of landfill~~, cutting of trees or other non-recreational use of lands owned by the Borough of Rocky Hill shall be prohibited unless permission for such use is obtained in advance from the Borough Council.

**§ 143-2. Use of ~~state land~~ Parks.**

On land designated as recreation, open space, or other public lands, ~~owned by the New Jersey State Department of Conservation and Economic Development (Greenacres Land")~~ no dumping of landfill, cutting of trees or other non-recreational use shall be permitted unless prior approval is obtained from the ~~Commissioner of the Department of Environmental Protection and the State House Commission, as well as the Borough Council of Rocky Hill.~~

**§ 143-3. Violation and penalties.**

Any person who violates any provision of this chapter shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article I, General Penalty, herein. Each violation shall be considered a separate offense.

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**Chapter 154:  
SEWER USE**

**§ 154-46. Anticipated volumes.**

- A. The calculation of anticipated volume of effluent shall be in accordance with the following standards unless the property owner for good cause shown demonstrates to the satisfaction of the Borough Engineer that the calculation of anticipated volume of effluent should be made on a different basis:
- (1) Single-family detached dwelling: 400 gpd.
  - (2) Apartment unit, townhouse or condominium: 270 gpd.
  - (3) Nonresidential structures: the greater of ~~0.125~~ 0.100 gallons per square foot or standards promulgated by ~~NJDEP~~ New Jersey Department of Environmental Protection in N.J.A.C. 7:9A7.4, last amended
- B. In determining whether such good cause has been demonstrated, the Borough Engineer may consider data pertaining but not limited to infiltration and inflow, the use of water-saving devices, projected populations, and the number of bedrooms.

**Chapter 185:  
VEHICLES AND TRAFFIC  
ARTICLE I**

**Speed Limits**

**§ 185-1. Speed limits established.**

The speed limit for both directions of traffic along the following streets is hereby designated as indicated below:

| <b>Name of Street</b>       | <b>Speed Limit<br/>(mph)</b> | <b>Location</b>   |
|-----------------------------|------------------------------|---|
| Merritt Lane                | 30                           | Entire length   |
| Montgomery Avenue           | 25                           | From Washington Street (Georgetown-Franklin Turnpike) to the northerly Montgomery Township/Rocky Hill Borough line (The speed limit through school zones as provided by N.J.S.A. 39:4-98a shall be retained.) |
| <del>Princeton Avenue</del> | 45                           | <del>From the Montgomery Township/Rocky Hill line to the intersection of Princeton Avenue and Crescent Avenue]</del>  |
| Princeton Avenue            | 35                           | From the intersection of Washington Street to the southerly line of Rocky Hill/Montgomery Township line   |
| Toth Lane                   | 30                           | Entire length   |

**§ 185-2. Regulatory and warning signs.**

Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits as authorized by the Department of Transportation.

**ARTICLE VI  
Time Limit Parking**

**§ 185-13. Zones established.**

Parking zones are established in the following areas for the time limit indicated:

| <b>Name of Street</b> | <b>Side</b> | <b>Time Limit</b>                             | <b>Location</b>  |
|-----------------------|-------------|---|--|
| Washington Street     | Northerly   | 15 min.<br><u>From 6 AM</u><br><u>to 8 PM</u> | From the driveway immediately adjacent to the post office on the west running approximately 100 feet easterly to the next driveway |

**§ 185-14. Regulatory signs.**

Signs shall be erected and maintained in accordance with the standards set forth in the Manual on Uniform Traffic Control Devices.

**§ 185-15. Violations and penalties.**

Any operator or owner of a vehicle found to be in violation of this article shall be subject to a penalty as provided in Chapter 1, General Provisions, Article I, General Penalty, herein, a penalty of not more than \$50.

**Chapter 188:**  
**VEHICLES, MOTORIZED**

**§ 188-1. Definition; Operation restricted.**

A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

LICENSED VEHICLE — Any motor vehicle licensed by the State of New Jersey, Motor Vehicle Commission, for operation upon the public highways.

MOTORCYCLE — Any two-wheeled motor propelled apparatus licensed by the State of New Jersey, Motor Vehicle Commission, or by the equivalent of another state, for operation upon the public highways.

MOTORIZED SPORTBIKE

(1) Any two-, three- or four-wheeled bicycles or similar apparatus motor propelled or having a helper motor and commonly referred to among other designations as moped, minibike, go-cart, all terrain vehicles (ATV), trailbike, electric scooter, Segway, dune buggy, or the like, which by its nature is not authorized to be licensed by the State of New Jersey, Motor Vehicle Commission, for use upon the public highways notwithstanding the fact that licensing of the same in some instances may not be required for operation upon the public highways.

(2) Snowmobiles and any similar sport vehicle which is motor propelled and traverses the terrain by means of treads, tracks or the like, as contrasted to wheels.

PRIVATE PROPERTY — Lands in the Borough not defined herein as public property or a part of a road system defined as an exception to the "public property" definition set forth below.

PUBLIC PROPERTY — Lands owned or leased by the Borough but specifically excluding from the definition any roadways used for public transportation and being part of the accepted road system of the State of New Jersey, Department of Transportation, Borough of Rocky Hill or the County of Somerset.

UNLICENSED VEHICLE — Any motor vehicle not in conformance with the definition of "licensed vehicle."

B. It shall be unlawful:

- (1) [No person shall] to operate any type of licensed or unlicensed motor vehicle or conveyance, including but not limited to, two-wheeled vehicles referred to as "mini bikes, "motor scooters," or motorcycles, four-wheeled vehicles known as "go-carts," and snowmobiles, in any park, playground, open space, parking yard, driveway, sidewalk or other property in and belonging to the Borough of Rocky Hill.
- (2) To operate a motorized sportbike, or other unlicensed vehicle, or motorcycle on public or private property other than with the express consent of all the owners and lessees of the property.

- (3) To operate a motorized sportbike, or other unlicensed vehicle, or a motorcycle, or other licensed vehicle on public or private property in such a way as to harass, worry or disturb residents, domestic animals or wildlife or further to destroy or damage the property

**§ 188-2. Exception for certain vehicles.**

This chapter shall not apply to emergency vehicles or to vehicles performing construction, public service, or maintenance functions with regard to such property or activities of the Borough. Further, this chapter shall not apply to motorized lawnmowers, tractors or farm vehicles or to construction equipment nor to licensed vehicles lawfully entering or exiting on public roads over private driveways provided and used for the purpose of ingress or egress.

**§ 188-3. Violations and penalties.**

~~[Offenders will be fined not more than \$50 for each offense.] Any person who violates any provision of this chapter shall, upon conviction, be punished as provided in Chapter 1, General Provisions, Article I, General Penalty, herein. Each violation shall be considered a separate offense.~~

**Chapter 197:  
WATER**

**§ 197-23. Fees.**

A. In the event that any customer is in arrears in payment of two or more bills the ~~Water-Sewer Superintendent~~ Water/Sewer Collector shall forward to the owner of the property a notice that service will be discontinued unless full payment is received within 10 days of the receipt of said notice. A fee of \$5 will be added to the outstanding balance of the water-sewer bill to cover the Borough's clerical expenses in preparation and mailing of the notice. In the event the Water-Sewer Superintendent or representative thereof goes to the property for the purpose of shutting off service, a fee of \$40 shall be added to the outstanding balance of charges due, whether or not service is actually discontinued. In the event that service is discontinued, an additional restoration fee of \$40 shall be added to the balance of outstanding charges due. Service shall be restored (or the discontinuance procedure halted) only after payment of all outstanding charges due, including penalties.

**§ 197-32. Connection to sanitary sewer; indemnification of Borough.**

A. Every individual building or house, whether constructed as a detached unit or as one of a pair or row which is designated or adaptable to separate ownership for use, shall connect, or shall remain connected, at the owner's sole expense, with and use the sanitary sewer to the exclusion of any other systems or methods for the collection and disposal of sewage waste. Each such connection shall be made at or near the property line of each such individual building. The failure to make and maintain such connection shall constitute a violation of this chapter.

B. Each owner shall indemnify and save harmless the Borough of Rocky Hill from any and all loss or damage that may result, directly or indirectly, from the construction of a house connection or sewer extension.

C. No occupancy permit shall be issued until said construction has been metered by the Borough of Rocky Hill.

**Chapter 199:  
WATER EMERGENCIES**

§ 199-2. Water use restrictions.

A. Upon adoption by the governing body of a resolution declaring that a water emergency exists in the municipality in accordance with § 199-1 of this chapter, all citizens shall be urged to observe voluntary indoor conservation measures and, any of the following water use restrictions shall be imposed and shall be applicable to all residents and tenants, except where a bona fide health emergency exists and to exempt businesses, as specified herein during the water emergency:

- (1) The complete ban and prohibition of outside water usage, including the watering of lawns and plants, the filling of pools and the washing of cars; or
- (2) Outside water usage on alternate days allowing outside water usage by persons or businesses having even house ~~or box~~ numbers on even days and those having odd house ~~or box~~ numbers on odd days with outside water usage being completely banned and prohibited on the 31st day of any month during the water emergency; or
- (3) Any other water use restriction specified by the governing body in the resolution required by § 199-1 of this chapter which is reasonable under the circumstances considering the nature and extent of the water emergency.

1. In the event that any section, sentence, or clause of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not effect the validity of the remaining provisions.

2. A copy of this adopting ordinance and the compilation and revision has been filed in the office of the Borough of Rocky Hill Clerk, there to remain for the use and examination of the public until final action is taken on said adopting ordinance and therefore while the same shall be in effect, if such ordinance shall be adopted; and provided, that said copy of said compilation and revision of ordinance shall be and remain on file accordingly.

3. This ordinance shall take effect according to law.

Attest:

\_\_\_\_\_  
Donna M. Griffiths, RMC  
Borough Clerk

By: \_\_\_\_\_  
Edward P. Zimmerman, Mayor

Introduced: October 6, 2008

Adopted: \_\_\_\_\_

I, Donna M. Griffiths, Borough Clerk, of the Borough of Rocky Hill, in the County of Somerset, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the governing body of the Borough of Rocky Hill, County of Somerset, State of New Jersey as a regular session of said governing body held on

\_\_\_\_\_-

\_\_\_\_\_  
Donna M. Griffiths, RMC  
Borough Clerk